

4 MAR 1975

Honorable Nelson A. Rockefeller
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

Pursuant to the provisions of 5 U.S.C. 552(d), I am pleased to report the experience of this Agency with requests for information under the Freedom of Information Act during calendar year 1974.

Of four such requests received and subsequently denied as detailed in attachments hereto, all were carefully considered at the time of initial review. Only one denial was appealed to a higher level of the Agency. It was decided that three of the requests had to be denied because the documents requested were properly classified pursuant to Executive Order. One request was denied because it involved an internal memorandum containing advice and recommendations from the Inspector General of the Agency to the Director on administrative policy. No fees were charged for processing these requests. During this period denials of records were made in the name of the Assistant to the Director, Angus MacLean Thuermer.

Many public requests for CIA records during 1974 were for classified intelligence documents. Such requests were levied under the provisions of Executive Order 11652 rather than the Freedom of Information Act. We expect that in calendar year 1975 most such requests will cite the Freedom of Information Act rather than the Executive Order; indeed, that trend is already evident. Our Quarterly Reports on Executive Order 11652 activity covering 1974 have been made available to the Inter-governmental Relations Subcommittee of the Senate Government Operations Committee and copies are attached for your information. These attachments point out the volume handled and are indicative of the significant workload that has been involved. For example:

Requests Carried Over From CY 1973	23
Requests Received During CY 1974	193
Requests Granted in Full	97
Requests Granted in Part	62
Requests Denied in Full	14
Other (records nonexistent; insufficient particularity; invalid request; referred elsewhere)	20
Requests Pending 31 December 1974	23

Aside from requests for documents where the provisions of the Freedom of Information Act are clearly invoked, CIA responded to a large number of inquiries from libraries and individuals involving requests for unclassified documents, maps and other data which the Agency regularly releases through the Library of Congress, the Government Printing Office, and the National Technical Information Service, Department of Commerce. The Agency responded to over a thousand such inquiries during 1974.

Currently, new procedures responsive to the terms of the amended Act are being implemented. A copy of the newly revised Agency regulation on the handling of Freedom of Information Act requests is attached. We have attached in addition a copy of the Agency regulation as amended which was in effect in 1974.

It is important for you to be aware that as a result of the amendments to the Freedom of Information Act and the publicity that has accrued to the Agency in recent months, we have received so far in 1975 142 requests requiring processing under the Act. Some of these requests are extremely broad and all-encompassing and have required an inordinate commitment of manpower. Others, while more routine in nature, nonetheless involve the problems of classification, sources and methods protection, and privacy matters inherent in so much of our record material. All have required thorough, thoughtful and time-consuming review. While we have taken steps to organize ourselves in the best manner possible to comply with the new requirements, I remain seriously concerned that the situation resulting from the amended law may well interfere with the work of the Agency to a degree unanticipated by Congress. I would appreciate the opportunity to address myself to this problem more specifically after we have had some additional experience with implementation of the amendments.

Sincerely,

/s/

W. E. Colby
Director

Attachments

IRS: [] ydc (28 Feb 75)
Rewritten (per DCI request) AC-DDA: [] ydc (3 Mar 75)
Distribution:

Original - Addressee

- 1 - DCI w/Atts
- 1 - DDCI w/Atts
- 1 - ER w/Atts
- 1 - OGC w/Atts
- 1 - OLC w/Atts

1 - DDA Subject w/Atts
1 - DDA Chrono w/o Atts

- 1 - IRS Subject
- 1 - IRS Chrono

STAT

STAT